

SUPPLEMENT
TO THE
REVISED STATUTES.

person, at any time before the first day of October, and after the first day of January, to catch, kill, or destroy, or to pursue with such intent, any wild deer, or to have in possession, or to expose to sale any of said game mentioned in this act during the season when the killing, injuring, or pursuing of the same is herein prohibited. Sec. 2. Any person offending against the provisions of this act shall, on conviction, be fined in any sum not less than thirty dollars, nor more than sixty dollars, or imprisoned in the county jail not less than ten, nor more than thirty days, or both, at the discretion of the court, for each offense, with the costs of prosecution.

When unlawful to kill wild deer.

Penalty.

(24.) SEC. II. All prosecutions under this act shall be in the name of the State of Ohio before any justice of the peace or other officer, or other court having jurisdiction; and all fines imposed or collected in such cases shall be paid into the county treasury for the benefit of common schools.

Suit therefor.

SEC. III. That sections one and two of the above act to prevent the killing of wild deer, passed March 31, 1864, be and the same are hereby repealed.

SEC. IV. That this act shall take effect and be in force from and after its passage.

An act for the protection of certain birds and game.

(Passed and took effect April 30, 1861. 58 vol. Stat. 125.)

SECTIONS I and II repealed by (28) section of this chapter.

(25.) SEC. III. And it shall also be unlawful for any person, at any time after the passage of this act, by the aid or use of any swivel, punt gun, big gun (so called), or any gun other than the common shoulder gun; or by the aid or use of any punt boat, or sneak boat used for carrying such gun, to catch, kill, wound, or destroy, or to pursue after, with intent to catch, kill, wound, or destroy, upon any of the waters, bays, rivers, marshes, mud flats, or any cover to which wild fowl resort within the state of Ohio, any wild goose, wood-duck, teal, canvas-back, blue-bill, or other wild duck.

Killing wild duck, etc., by other means than "common shoulder gun," unlawful, or disturbing their eggs.

SEC. IV. It shall be unlawful for any person to destroy or disturb the eggs of any of the birds protected by this act.

(26.) SEC. V. Any person offending against any of the provisions of this act shall, on conviction, be fined in any sum not less than two dollars nor more than twenty dollars for each offense, with costs of prosecution, or be imprisoned in the county jail not more than twenty days, or both, at the discretion of the court.

Punishment.

(27.) SEC. VI. All prosecutions under this act shall be in the name of the State of Ohio, before any justice of the peace, or other officer or court having jurisdiction; and all fines imposed or collected in such cases shall be paid into the county treasury for the benefit of common schools.

Suits therefor.

SEC. VII. The act entitled "an act to prevent the killing of birds and other game," passed April 10, 1857, is hereby repealed; *provided*, that such repeal shall not affect the prosecution of offenses committed against said act before the passage of this act.

S. & C. 74.

54 v. Stat. 107.

SEC. VIII. This act shall take effect and be in force from and after its passage.